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Attorneys for Defendants  
SAN FRANCISCO POLICE DEPARTMENT,  
CITY AND COUNTY OF SAN FRANCISCO,  
MAYOR GAVIN NEWSOM, IN HIS OFFICIAL  
CAPACITY, AND OFFICER LARRY BERTRAND

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MIKE QUAN, as an individual, and also  
as proprietor of PLAYBAR, INC., dba  
THE ROOM, and JAVIER MAGALLON,

Plaintiffs,

vs.

SAN FRANCISCO POLICE  
DEPARTMENT, CITY AND COUNTY  
OF SAN FRANCISCO, MAYOR GAVIN  
NEWSOM, OFFICER LARRY  
BERTRAND, CALIFORNIA  
DEPARTMENT OF ALCOHOL  
BEVERAGE CONTROL, STATE OF  
CALIFORNIA, OFFICER MICHELLE  
OTT, and DOES 1-100, inclusive,

Defendants.

Case No. CV-10-1835-MEJ

**STIPULATION AND ~~PROPOSED~~  
ORDER TO CONTINUE DEADLINES  
FOR DISCOVERY, MOTIONS TO  
COMPEL, EXPERT DISCLOSURES,  
AND INDEPENDENT  
PSYCHOLOGICAL EXAMINATIONS**

Date Action Filed: March 29, 2010  
Trial Date: None set

1 The undersigned parties, through counsel, STIPULATE and AGREE and jointly request  
2 modification of the Court's Order of April 21, 2011 as follows:

3 WHEREAS, the court recently denied Plaintiffs' motion to amend the complaint;

4 WHEREAS, Defendants have on file a motion for summary judgment that may result in  
5 judgment for all defendants on all causes of action;

6 WHEREAS, the court set dates for filing of briefs on the motion for summary judgment;

7 WHEREAS, the parties wish to save the time and expense of continuing to litigate this  
8 matter in light of the pending motion for summary judgment;

9 THEREFORE, all dates for discovery cut off, due dates for pending discovery requests  
10 (including interrogatories, requests for production, and depositions including the third party  
11 deposition of Mark Rennie), expert disclosure dates, due dates for motions to compel, and the  
12 deadline for an indendant medical examination shall be taken off calendar and stayed pending the  
13 court's order on summary judgment. If after the court issues its order on summary judgment any  
14 portion of this matter remains, the parties shall meet and confer and agree on resetting the above  
15 dates.

**SIGNATURE PAGE TO STIPULATION AND [PROPOSED] ORDER TO CONTINUE  
DEADLINES FOR DISCOVERY, MOTIONS TO COMPEL, EXPERT DISCLOSURES,  
AND INDEPENDENT PSYCHOLOGICAL EXAMINATIONS**

Dated: June 28, 2011

DENNIS J. HERRERA  
City Attorney  
JOANNE HOEPER  
Chief Trial Deputy  
MARGARET W. BAUMGARTNER  
Deputy City Attorney

By: /s/ MARGARET W. BAUMGARTNER  
MARGARET W. BAUMGARTNER

Attorneys for Defendants  
SAN FRANCISCO POLICE DEPARTMENT,  
CITY AND COUNTY OF SAN FRANCISCO,  
MAYOR GAVIN NEWSOM, IN HIS OFFICIAL  
CAPACITY, AND OFFICER LARRY BERTRAND

Dated: June \_\_, 2011

KAMALA HARRIS  
Attorney General of California  
JOHN P. DEVINE  
Deputy Attorney General

By: /s/ John P. Devine  
John P. Devine

Attorneys for Defendants  
STATE OF CALIFORNIA, ACTING BY AND  
THROUGH THE DEPARTMENT OF ALCOHOL  
BEVERAGE CONTROL, AND MICHELLE OTT

1 Dated: June \_\_, 2011

LIPTON, PIPER & SGANGA

2  
3 By: /s/ Jon L. Piper  
4 Jon L. Piper  
5 Attorneys for Plaintiffs  
6

7 **\*THE FILER OF THIS DOCUMENT ATTESTS THAT CONCURRENCE IN THE FILING**  
8 **OF THIS DOCUMENT HAS BEEN OBTAINED FROM THE OTHER SIGNATORIES.**  
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**ORDER**

Pursuant to stipulation, and for good cause appearing, IT IS ORDERED that deadlines for discovery, motions to compel discovery, expert disclosures, and for taking of any independent medical examination shall be taken off calendar and stayed pending the Court's decision on defendants' motion for summary judgment. Should any portion of this case remain after the Court's order on summary judgment, the parties shall meet and confer to agree on new deadlines.

DATED: June 29, 2011

  
\_\_\_\_\_  
Hon. Maria-Elena James  
Magistrate Judge

**PROOF OF SERVICE**

I, Dorothy Silver, declare as follows:

I am a citizen of the United States, over the age of eighteen years and not a party to the above-entitled action. I am employed at the City Attorney's Office of San Francisco, Fox Plaza Building, 1390 Market Street, Sixth Floor, San Francisco, CA 94102.

On June 28, 2011, I served the following document(s):

**STIPULATION AND [PROPOSED] ORDER TO CONTINUE DEADLINES FOR  
MOTIONS TO COMPEL, EXPERT DISCLOSURES, AND INDEPENDENT  
PSYCHOLOGICAL EXAMINATIONS**

on the following persons at the locations specified:

Javier Magallon  
1164 DeHaro Street  
San Francisco, CA 94107  
Telephone: 933-7898

*Plaintiffs In Pro Per*

in the manner indicated below:



**BY UNITED STATES MAIL:** Following ordinary business practices, I sealed true and correct copies of the above documents in addressed envelope(s) and placed them at my workplace for collection and mailing with the United States Postal Service. I am readily familiar with the practices of the San Francisco City Attorney's Office for collecting and processing mail. In the ordinary course of business, the sealed envelope(s) that I placed for collection would be deposited, postage prepaid, with the United States Postal Service that same day.



**BY PERSONAL SERVICE:** I sealed true and correct copies of the above documents in addressed envelope(s) and caused such envelope(s) to be delivered by hand at the above locations by a professional messenger service. **A declaration from the messenger who made the delivery** ☐ **is attached** or ☐ **will be filed separately with the court.**

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct.

Executed June 28, 2011, at San Francisco, California.

//s// Dorothy Silver

Dorothy Silver